

**To:** Dolph, Becky[Dolph.Becky@epa.gov]; Lee, Monica[Lee.Monica@epa.gov]  
**Cc:** Michaud, John[Michaud.John@epa.gov]; Smith, Paula[Smith.Paula@epa.gov]  
**From:** Jenkins, Laura Flynn  
**Sent:** Mon 8/17/2015 8:21:14 PM  
**Subject:** RE: ACTION JIC/EOC: WALL STREET JOURNAL: ASAP

Thanks! I'll talk with Paula when she comes back to her office on if/how she wants me to respond and will close the loop once we've spoken.

Laura Jenkins

Media Officer

USEPA-Region 8

1595 Wynkoop St.

Mailcode: 8-OC

Denver, CO 80202

Landline: 303-312-6256

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Fax: 303-312-6961

**From:** Dolph, Becky  
**Sent:** Monday, August 17, 2015 2:19 PM  
**To:** Jenkins, Laura Flynn; Lee, Monica  
**Cc:** Michaud, John; Smith, Paula  
**Subject:** RE: ACTION JIC/EOC: WALL STREET JOURNAL: ASAP

Thanks – yes, I've seen the thread. It would seem that there is a mix of info being requested. As to specific documents, the requester should file a FOIA request. The easiest way to do so is to use the FOIAonline tool available on EPA's website (<http://www2.epa.gov/foia>). As to questions, it would seem that these would be handled as a normal press request.

I suggest that the media POC should have someone get back to this person and ask her to cull out her requests for specific documents and to request those under FOIA and handle her general questions as we are other press inquiries.

Let me know if questions.

Thanks,

Becky

Becky Dolph | Director, FOIA Expert Assistance Team

U.S Environmental Protection Agency

Office of General Counsel | 7309B WJCN | 202-564-5771

**From:** Jenkins, Laura Flynn

**Sent:** Monday, August 17, 2015 4:10 PM

**To:** Dolph, Becky

**Subject:** FW: ACTION JIC/EOC: WALL STREET JOURNAL: ASAP

I assume you've seen this thread but am sending just in case.

Laura Jenkins

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**From:** Lee, Monica

**Sent:** Monday, August 17, 2015 1:43 PM

**To:** EOC Public Information

**Cc:** Jenkins, Laura Flynn; Smith, Paula; Press; Stavnes, Sandra; Mylott, Richard; McClain-Vanderpool, Lisa

**Subject:** Re: ACTION JIC/EOC: WALL STREET JOURNAL: ASAP

This should be worked through Becky Dolph and the normal FOIA process.

Monica Lee

(202) 564-0645

(202) 713-6902

On Aug 17, 2015, at 3:40 PM, EOC Public Information <[EOC\\_Public\\_Information@epa.gov](mailto:EOC_Public_Information@epa.gov)> wrote:

EOC PIO is checking with Monica Lee on next steps.

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**From:** Jenkins, Laura Flynn

**Sent:** Monday, August 17, 2015 3:12 PM

**To:** Smith, Paula; Press; EOC Public Information

**Cc:** Stavnes, Sandra; Mylott, Richard; McClain-Vanderpool, Lisa

**Subject:** RE: ACTION JIC/EOC: WALL STREET JOURNAL: ASAP

No, she sent it directly to me so I forwarded it to the JIC and EOC. I can redirect her to someone else if her request should be rerouted.

During one of the calls someone asked about FOIA requests and, at least at that time, we

were told to transmit to JIC for action.

If that's changed. Sorry, I didn't know but can redirect.

Laura Jenkins

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**From:** Smith, Paula

**Sent:** Monday, August 17, 2015 1:10 PM

**To:** Jenkins, Laura Flynn; Press; EOC Public Information

**Cc:** Stavnes, Sandra; Mylott, Richard; McClain-Vanderpool, Lisa

**Subject:** RE: ACTION JIC/EOC: WALL STREET JOURNAL: ASAP

Did this come through the FOIA Officer and process?

**- Paula**

**From:** Jenkins, Laura Flynn

**Sent:** Monday, August 17, 2015 12:47 PM

**To:** Press; EOC Public Information

**Cc:** Stavnes, Sandra; Smith, Paula; Mylott, Richard; McClain-Vanderpool, Lisa

**Subject:** ACTION JIC/EOC: WALL STREET JOURNAL: ASAP

ACTION REQUIRED: Freedom of Information Request from Wall Street Journal.

Laura Jenkins

Media Officer

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**From:** Berzon, Alexandra [<mailto:Alexandra.Berzon@wsj.com>]

**Sent:** Monday, August 17, 2015 12:42 PM

**To:** Jenkins, Laura Flynn

**Subject:** public information request from Wall Street Journal

Hello, Per our recent conversation, I am requesting the following information and documents regarding the recent Colorado mine spill:

- 1) According to previous reporting, the EPA had prepared a Superfund study for the area- can you please provide us that document.
- 2) How much money would an Animas River Basin cleanup have cost (ie if the site had been designated a Superfund site) and how long would it have taken ? Who would have provided that funding? What specifically was to be cleaned up?
- 3) When did the EPA first become involved there in trying to get it on the Superfund Priorities List and why? Why wasn't it put on the list?
- 4) Why was the EPA doing the most recent work on shoring up the mines - was there something in particular that precipitated that?

- 5) Does the EPA think at this point that this should be a Superfund site, and again how much would that cost and how would it be funded?
- 6) Was the Sunnyside Gold Remedial Investigation Plan filed to the EPA? If so can we please get a copy of this or any other report filed from Sunnyside mine to the EPA.
- 7) Please describe the recent settlement negotiations between the EPA and Sunnyside mine and provide any documents related to these settlement talks. Has there been a resolution? When was the most recent set of talks or exchange of documents or emails with Sunnyside and what was said? How much money did the EPA (prior to the latest mine spill) think Sunnyside should pay for cleanup?
- 8) Please provide us the "CERCLA 104e-like letter" (ie not formally this exact letter but something very similar) that was sent by the EPA sometime around the end of 2012/beginning of 2013 sent to Sunnyside and all other Animas River Basin mine owners. How many PRPs has EPA been in touch with in the Animas River Basin area?
- 9) How much money from the Standard Metals settlement did the EPA collect from Standard Metals and/or its insurance fund and how much of that went to Animas River Basin cleanup. What cleanup were those funds used for?
- 10) According to the September 2014 meeting of the Animas River Stakeholders group, EPA contractors tried to open the Gold King around that time but it collapsed back further than anticipated and there was a blockage near the entrance and a previously unidentified small mine pool that needed to be drained, so the EPA stopped work and decided to reevaluate its approach. Can you please explain this problem and how the EPA tried to solve it when going back into the mine recently.

I can be reached at 424-204-4811. As this is news on a breaking story of great public interest, we are requesting extreme expedition and that fees be waived. Nothing in this request should delay any other part of the request - please send me files as they become available and allow me to view those that can be made available very urgently. If fees are charged, we agree to pay up to \$500. Please notify me if it will be more than that.

Nothing in this request should delay or preempt any other requests from Wall Street Journal reporters regarding this mine spill

Thank you very much.

Best,  
Alexandra Berzon

Reporter

Wall Street Journal

424-204-4811

323-327-8194 (cell)